

RECEIVED
CENTRAL FAX CENTER

APR 03 2007

PTO/SB/21 (08-08)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

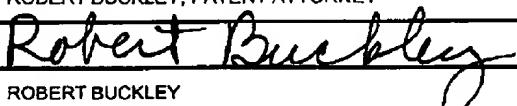
(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09 / 802,986
Filing Date	07 / 11 / 2001
First Named Inventor	Sharif, Imran
Art Unit	2173
Examiner Name	Hallu, Tadesse
Attorney Docket Number	UNIQA-PPA2

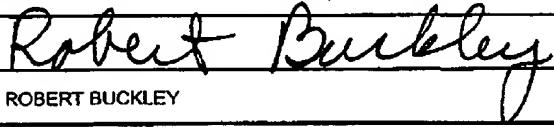
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	ROBERT BUCKLEY, PATENT ATTORNEY		
Signature			
Printed name	ROBERT BUCKLEY		
Date	04 / 03 / 2007	Reg. No.	33657

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	ROBERT BUCKLEY	Date	04 / 03 / 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

APR 03 2007

Attorney's Docket No. UNIQA-PPA2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Sharif et al.
Serial No.: 09/902,986
Filed: 07/11/2001
For: "Web Browser Implemented in an Internet Appliance"
Group No.: 2173
Examiner: Hallu, Tadesse

Via facsimile

Mail Stop: Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

Misstatements by Appellants

The appellants made several misstatements in their Appeal Brief, some of which are simply foolish. But one is a material misstatement and the appellants seek leave to correct such material misstatement. The foolish misstatements relate to the breadth of claim 1 in comparison with the Istivan et al. disclosures (Appeal Brief, page 4, lines 11 – 12, 26 – 29).

The material misstatement asserts that the appellants' claim 1 method can be practiced on the Istivan et al. platform (Appeal Brief, page 4, lines 5 – 7, 8 – 11). What the appellants meant by those statements is that the hardware part of the Istivan et al. platform appears more than sufficient to execute the appellants' claim 1 method *if the hardware part were reprogrammed to support the claim 1 method.*

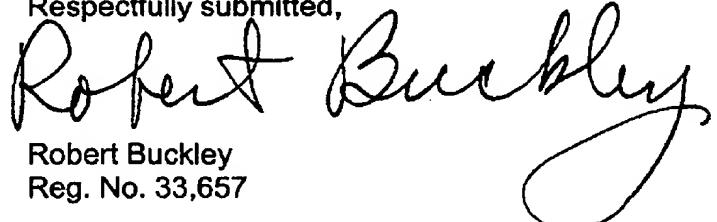
Claim 1 Is Not Anticipated by The Cited Prior Art Reference

The respondent seeks to define-down the Istivan et al. set-top-box—even resorting to use of appellants' name, Internet Appliance, as a synonym for the Istivan et al. set-top-box (Reply Brief, page 3, about two-thirds of the page down). But deceptive argument cannot conceal that *the simplest Istivan et al. application requires significantly more capability of its set-top-box than the appellants' claim 1 method requires of its Internet Appliance.*

A person having an ordinary level of skill in the relevant art will appreciate (1) that appellants' Internet Appliance and the Istivan et al. set-top-box include both hardware and software elements, and (2) that the greater capability of the Istivan et al. set-top-box requires that its elements be arranged differently from those of an Internet Appliance required to implement the appellants' much simpler list of tasks.

Even if the prior art reference includes all the elements that are claimed, if the arrangement of the claimed elements is different from the arrangement of the prior art elements, anticipation will not be present. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481,485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)).

Respectfully submitted,


Robert Buckley
Reg. No. 33,657